

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow. After amending the claims and adding new claims, as set forth above, claims 1-9 and 21-26 are now pending in this application.

Applicant wishes to thank the Examiner for the careful consideration given to the claims.

Specification

An objection to the specification has been made. The specification has been amended to correct minor grammatical, typographical, and formatting informalities. For at least this reason, favorable reconsideration of the objection is respectfully requested.

Rejection of claims 1-8 and 10-17 based on FR '691

Claims 1-8 and 10-17 are rejected under 35 U.S.C. 102(b) as being anticipated by FR 2833691 ("FR '691"). For at least the following reasons, this rejection is traversed.

Claim 1 (as amended) recites "a pair of module supports for holding and supporting the heat exchanger on the vehicle, wherein each module support is made of plastic and has the form of a slip-on box having an internal recess that fits the shape of the header tank and positively surrounds the longitudinal side faces and end walls of the header tank, each module support having a locking hook arrangement at one end and a resilient snap-in hook arrangement at its opposite end, for positively locking the header tank into the module support." FR '691 does not teach or suggest this combination of features. For example, FR '691 merely teaches connectors 7 mounted on a manifold 2 in which the connectors 7 are fed through slots in the component 9 and bent over to secure them, thus securing the manifold 2 to the component 9. (See Figs. 2-3 of FR '691.) The connectors 7 are not on the component 9. Also the connectors are not located near the end faces of either the manifold 2 or the component 9. Accordingly, FR '691 does not "identically disclose or describe" all the features of claim 1.

FR '691 also mentions that the means for joining the manifold 2 with the support 9 ("moyens de liaison") can alternatively be "des moyens d'encliquetage," which has been translated in the English abstract as "clip-together elements." Apparently, this is the term

used to generally characterize the alternative embodiment of Figures 4-6, which obviously is completely structurally unrelated to both the first embodiment of FR '691 and also the present invention.

Claims 2-8 depend directly or ultimately from and contain all the features of claim 1, and avoid the rejection for at least the same reasons, without regard to the further patentable features contained therein.

For at least these reasons, favorable reconsideration of the rejection is respectfully requested.

Rejection of claims 9 and 18-20 based on Louis and Ozaki

Claims 9 and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over FR '691 in view of U.S. Patent Application Publication 2002/0017381 ("Ozaki"). Claims 18-20 have been cancelled. Claim 9 depends from and contain all the features of claim 1. As previously mentioned, FR '691 does not teach or suggest module supports comprising locking hooks and snap-in hooks or that the locking hooks and/or snap-in hooks are secured to the end faces of the header tanks. Ozaki does not cure these deficiencies. Thus, no combination of FR '691 and Ozaki teaches or suggests all the features of claim 1 and its dependent claim 9. For at least these reasons, favorable reconsideration and withdrawal of the rejection are respectfully requested.

Allowability of claims 21-26

Claims 21-26 are directed to additional preferred and advantageous features of the invention. They depend directly or ultimately from and contain all the features of claim 1. As previously mentioned, neither FR '691 nor any combination of FR '691 and Ozaki teaches or suggests module supports comprising locking hooks and snap-in hooks or that the locking hooks and snap-in hooks are secured to the end faces of the headers. Thus, claims 21-26 are allowable for at least these reasons, without regard to the further patentable features contained therein. For at least these reasons, allowance of these claims is respectfully requested.

Conclusion

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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